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COMPULSORY EDUCATION

AND ITS RELATIONS TO THE

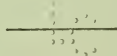
DEFECTIVE CLASSES

—BY—

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Iowa School for the Deaf.



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COMPULSORY EDUCATION.

And Its Relations to the Defective Classes.

By Henry W. Rother, Superintendent of the Iowa School for the Deaf.

A paper read at a Quarterly Conference of Board of Control and Superintendents at Des Moines.

“What sculpture is to a block of marble, education is to a human soul, the saint and the hero, the wise, the good and the great man very often lie hid and concealed in a plebeian, which a proper education might have disinterred and brought to light.”—ADDISON.

“Whatever you would have appear in a nation’s life that you must put into its school.” An old German motto—Therefore the foundation of public education is broad statesmanship and not charity.

The recognition of the arbitrary demands of a nation’s prosperity, growth and freedom rests with the education and intelligence of its citizenship.

It is not charity to educate any child no matter where—no matter what. It is duty, an obligation and a self-preservation.

The scintillations of an individual’s sympathetic interest in another’s weal should not be confounded with the stern inflexible duty of a people’s self protection.

True, the material may not be the same, the stones as taken from the quarry may be of different shape, the impressions made by the mechanic may vary, yet a structure can be built of sufficient strength to serve as a shield from the encroachments of ignorance and consequent vice. This structure must be erected at public expense.

Our progressive enlightening civilization demands this, as far as it appertains to the normal child as a duty, no longer prompted by admonitions of benevolence or compassion, while as to the other child which may not be gifted with all of the five God-given senses there still remains a disposition to con-

strue all legal requirements and offered opportunities as the result of generous charity. Certainly what concerns the education, in its broadest sense, of the normal child should pertain as far as it is applicable to the defective child.

Therefore, in a measure at least, the causes which lead up to, the motives which prompt, the underlying principles which govern, the arguments in favor of, and the results attained by Compulsory Education are (or should be), the same in the one case as in the other.

Compulsory Education has been recognized by statutory enactments in 32 states of the Union, while its principles are incorporated into law in many countries of Europe.

Its mandatory provisions touch the responsibility of the parent to his progeny and to the community at large, protects the child as to its own inherent rights as a human being under common care, secures immunity from the enfeebling results of child labor, and provides safe-guards against the vicious and deplorable consequences of non-attendance and truancy, by the establishment of Parental schools, Ungraded schools, Truant schools, and Industrial schools. In this country prominent educators have for many years been engaged in recommending and fostering this so desirable, so necessary ordinance as a part of our beneficent public school system and have been measurably aided and encouraged by the good women and the good mothers of the land. Permissible therefore are references to opinions expressed in support of Compulsory Education by those who are so closely connected with the cause of the mental and physical training of the ignorant and dependent child.

"While we are steadily gaining for our public schools the support of those who are opposed or indifferent to them, we signally fail to impress that class of people who through self-interest, carelessness, or ignorance, ignore the claims of their children to the rights and benefits of at least a common school education. To the question "What is the remedy?" the reply is "Admitted that education forms the only secure foundation and bulwark of a republican form of government, if not of every form of government; admitted that the universality of education becomes thus of vital importance to the state, and admitted that the exigencies of the case not only

empower, but compel, the state to provide all facilities necessary to enable every child to acquire at least a common school education and we are forced to the conclusion that it is not only the privilege but the duty of the state to compel every parent to bestow upon his children, at least the education which the state places within his reach,"

"In the uneducated youth and the thousands of adults who cannot write their own names we have a stratum of ignorance and its concomitants underneath our social structure, that seems to threaten the whole with decay. It is in this soil that crime and penury grow, from this field comes that dreadful crop that is harvested in poor houses, houses of refuge, jails and penitentiaries. This is the deepest stain on our free institutions. Should not this illiteracy be prevented? Can not these neglected children be reclaimed?

"Firmly believing in the necessity of a government established upon a basis like our own, why hesitate to incorporate the principles of compulsory attendance into the public school system of every state in the union? Those who own the property are taxed for the support of public schools for the benefit of all children alike. The poor as well as the rich enjoy the advantages of schools supported by the tax fund. Shall the intemperate, the indolent, the thriftless who do not contribute to the general welfare and yet receive protection and enjoy privileges, being in a minority, be allowed to transmit their ignorance through their children, prevent the successful operation of law and thus defeat the will of the majority upon a question interwoven with our higher interests and our very free existence? The priceless boon of a free school is of incalculably more importance to the non-tax-payers than to any other class. If a state in its rights as such for high, moral and political reasons can justly coerce the property holders into the support of universal free education; if it can regulate the labor-department in our manufacturing establishments and in our mines by a stringent law, can it not,—yea ought it not—for every reason to insist that the children for whom such ample provisions are made shall avail themselves of the proffered opportunities for their education?

"It would seem logical that, if any state claims the right to

tax the childless man to furnish a fund to educate other people's children it holds in its hands the corresponding right to compel those people to utilize the fund in the improvement of those who, ignorant as well as learned, are the born heirs to all the franchises of citizenship. A system of free public schools is not maintained by the state merely to confer a benefit upon an individual or a class but engages in the work of popular education for her own protection, as a fundamental civil duty, and cannot afford to be indifferent as to whether or not her citizens avail themselves of the civic advantages afforded by her munificent patronage of public schools, and public institutions. While it is a duty to place education within the reach of all the people, it is a farther duty to compel them to avail themselves of its benefits. An elementary education should be considered as much a legal obligation as it is a necessity, and there is no more question as to the power to enforce it, than there is for the authority to enact any other law to promote the public welfare.

"Compulsory attendance in our schools and educational institutions is no hardship (with free text books) but a just and wise measure to protect society and perpetuate enlightened self-government. A parent no matter how straitened in circumstances does a child a great injustice who prevents a thorough training in youth for the battle of life. What is a dollar saved or earned to-day by forcing immature intellects and bodies into the "bread winning acts" if the whole after life of that child is marred and cramped by reason of that forcing? Thorough preparation in youth is the only economy of time in life work and if parents do not realize this, the state must and should compel every child according to ability to secure the necessary training for industrious, successful and intelligent living."

In every community there are parents who are wholly indifferent to the advantages of education, who will not permit their children to avail themselves of opportunities offered, who wilfully refuse to send their children to school under the belief that "a little learning is a dangerous thing," or who want "only meat and bread" secured by the muscle of the child in order that they may rest in ignorance and indolence.

Such parents, so remiss in their duties to their offspring should be made sensible, should be forced to be industrious and compelled to discharge a parent's duty. With this class of parents the child is but a tool to their selfish sinful greed.

"If the state is justifiable in providing at public expense for the education of children for its own protection it is also justifiable in protecting the rights of children to be educated for its own protection."

We beg to insert a clipping from the public press bearing upon this subject.

HAS THE CHILD NO RIGHTS?

"A sad and pitiable scene was witnessed here last week at a preliminary trial in the court house, in which a little girl eight or nine year old was a witness. It developed in the examination that she could neither read nor write, had never been to school, or to Sabbath school, had never heard a prayer offered, did not know until that morning that there was a God—and this in a country where churches and free schools dotted every hillside. Could the condition of this child have been any worse in heathendom? Almost within sight of churches and schools is a child who might have been in "Darkest Africa" as far as any benefit to her is concerned."

And yet we are told the law must not interfere with the right of a father to control his children. What right has this father to rear his child in this way? What right has he to disregard the claims of society upon him to rear his children for useful and honorable womanhood and manhood? Has not the state a paramount right to see that he does regard the claims of the community in which he lives or in which his children may hereafter live? Has not the child itself some rights in the premises which the state is bound to protect it in, even from an indifferent and careless father? Has he a right to ignore the inborn right of his child to health, happiness, and intelligence? Never.

After perusal of above it is refreshing to say the least to read the title of the act establishing Compulsory Education

in our sister state Missouri. "An Act to enforce the constitutional rights of every child in the state to an education."

"To bring up such a child in ignorance is a crime and should be treated as such." Ignorance is the most prolific source of criminality and should be under the ban of legal punishment. The parents may object, claiming this interferes with their liberties, it ought,—when they are incapacitated by vice or other causes from the performance of essential duties as parents. Others may claim "It arrogates new power by the government." So do all quarantine and hygienic regulations and laws for the abatement of nuisances in time of pestilence. Ignorance is as noxious as the most offensive nuisance and more destructive than bodlily contagion. Again others assert compulsory attendance laws are un-American and unadapted to our free institutions and laws inasmuch as they authorize the dragging (so called) of children to school. Better this than dragging them to jail a few years hence.

The responsibility of parents as recognized by law in different parts of the United States is established by fines and imprisonment varying in amount and length, from a fine of \$1.00 to \$5.00 in Pennsylvania to from \$50.00 to \$200. 00 in Nevada. Imprisonment not exceeding 10 days in New Mexico, to not exceeding three months in New Jersey.

In certain foreign countries also, absence of children from school is accounted a transgression of parents and penalties inflicted covering fines of 10 cents to \$2.00 in Italy to a maximum fine of \$25.00, in Queensland, or imprisonment of 4 hours in Switzerland to a maximum of 14 days in Scotland.

In this country the age at which the child's attendance at school in the several states is required is fixed at six years as the lowest and 16 years as the highest—while in Europe the regulation embraces a variation of from 4 years to 14 years.

With us the time of attendance necessary to comply with the law in our country lies within the boundary of 8 to 20 consecutive weeks. In Europe, in some countries, the term is indefinite such as "Until scholar shall have attained a certain proficiency in religion, reading, writing and arithmetic" while

in others there is a definite time ranging from 12 weeks in Norway to every school day or the entire period of school in England and in southern Germany.

In our own state Compulsory Education was legally recognized by the law going into effect July 4th last. Great credit is due Hon. W. L. Eaton, Speaker of the House of Representatives, Hon. Geo. W. Dunham, Chairman of the committee on schools and other members of the 29th Gen. Assembly for their zealous, persistent successful advocacy of a measure so far reaching in its requirements and so promising as to its beneficial results. Grateful acknowledgements should also be accorded the State Teachers' Association for its emphatic recommendation of compulsory attendance, and to the Federation of Women's Clubs in Iowa for the willing helpful assistance of its members. The provisions of the law are somewhat similar to those of other states, directing that— "Any person having control of any child of the age of seven to fourteen years inclusive in proper physical and mental condition to attend school, shall cause such child to attend some public, private or parochial school where the common school branches of reading, writing, spelling, arithmetic, grammar, geography, physiology and United States history are taught, or to attend equivalent instruction by a competent teacher elsewhere than school, for at least twelve consecutive weeks in each school year." Exception is made in so far as that the law shall not apply to any child who lives more than two miles from any school, by the nearest travelled road, except in those districts in which the pupils are transported at public expense, or are excused for sufficient reason by any court of record or judge thereof.

Any person violating these provisions shall be deemed guilty of a misdemeanor, and upon conviction pay a fine of not less than three dollars and not more than twenty dollars. Authority is also granted to Boards of Directors to establish Truant Schools, or set apart separate rooms in any public school building for the instruction of children who are habitually truant and provide for their confinement and maintenance. In case any child placed in such Truant Schools proves insubordinate or escapes or be habitually vagrant,

disorderly or incorrigible, commitment may follow to the Industrial Schools of the State. Appointment of Truant officers is provided for and their duties and the duties of directors of school districts for the enforcement of the law prescribed. Census officers are empowered to ascertain the number of children of the ages of seven to fourteen in their respective districts, the number of such children who do not attend school, and so far as possible the cause of failure of such non-attendance.

In addition to all of all this the law provides a system of checks by which it can be quickly ascertained whether a given child is attending any school. On demand and at least once a year, the head of each parochial or private school is to furnish the secretary a report of the names, ages, and attendance of all of the pupils in the school; this report is filed by the secretary for reference. Reports on any individual pupil may be called for at any time. Parents with children in private schools shall furnish the secretary a certificate to that effect on demand.

The law is not as broad and extending as it might be, not covering all cases of voluntary or enforced absenteeism, nor is it as definite in its coercive restrictions as its most ardent friends would desire. It must be regarded as the pioneer measure, recognizing and incorporating into our statutes the principles of Compulsory Education.

In its enforcement, errors, omissions and imperfections will be discovered and the same remedied, inserted or removed by future legislation.

The term "proper mental and physical condition" should be modified and qualified. It is here that the line of distinction is drawn. These words form the verdict which sends the normal child to the opening portals of enlightening education, while it commits the defective child to within prison bars of debasing ignorance.

The more favored brother and sister by the strong arm of the law are removed from careless indifferent supervision, while the less favored, having no legal rights, are compelled to remain where no authority can reach, no law protect.

The child who through sickness, accident or inheritance

wanders in mental darkness, or who in visionless apathy experiences only its animal cravings, or who isolated and alone is beyond the reach of the human voice is certainly entitled to legal protection, to legal assistance.

The mental germ can be stimulated and developed, the morbid apathy of a sightless soul changed to an intelligent realization of a spiritual existence, and the cheerless isolation dissolved into conditions surrounding a social, intellectual and moral being.

True the developing processes are different, and certain temporary or permanent physical deficiencies may debar the attendance of a defective child, at what is commonly termed the public school, yet, recognizing the rights of this class, as well as protecting the community at large, the state has erected and is maintaining institutions and schools in which special methods for their betterment, improvement and education are practiced. The doors of these institutions and schools are open and room provided for all. Why not compel the attendance of every child ready to enter?

Why exempt from the operations of a beneficent law a class for whom compulsory attendance means more by far than it does for the majority?

With ignorant and vicious parents it is the defective child which is made the target of outbursts of temper and passion, which is chained down to the menial servitude of exacting drudgery and which, when by animal instinct it escapes from the cutting stings of the parental lash, becomes a prey in the outer world to immorality, vice and crime.

But there is another class of parents far different in type and disposition, whom no intelligent appeal will influence, no picture of the darkened future of their child attract, who are guided only by their emotions and whom only the enforced requirement of such a law can reach. Actuated by parental love, centering their affections upon the defective child, separation from it is nigh to saying "good-bye for ever."

Years come and go and that darling child is retained at home, growing up in comparative ignorance, to be in after life a shame and a curse to that weak yet loving household. Strange as this may appear, many such cases come under the

observation of those connected with institutions for the defective youth.

At the opening of our school this year a deaf boy 10 years of age was brought from a distant part of the state by his father who had thus been prevailed upon by neighbors and by the minister of his church. Remaining with us a day, and returning the following day, he sought and received all pertinent information, visited school rooms, dining room and dormitories, conversed freely with officers and teachers and became so satisfied and impressed that he thanked God such a school existed within the boundaries of Iowa. The boy was duly enrolled, sent to his class and was contented.

But when the parting hour arrived, the dread of separation overshadowed the father's judgment and tenacitly holding his boy by the hand, with tears gushing forth profusely he said. "It is all right but I cannot leave him, I must take him home again." He left with his boy. For that father a compulsory law is humane, for that boy a right.

There is yet another class of homes, so called, at the hearthstone of which stands the destitute defective child in utter desolation and helplessness.

It is where the illiterate foreign immigrant has his abode and rears his children. A stranger to our customs and institutions, shiftless and careless as to the future, governed solely by self, he pays no heed to the conditions of his ever increasing family save and except when the members thereof can contribute to his own desires, gratify his own appetite and provide for his selfish indolence and comfort.

His feeble minded, blind or deaf child is as rubbish in that unholy hovel, treated as unclean and as an interference, as the whims of superstition or the wiles of debauchery may prompt.

Should not the law in its majesty interfere and wrest from the clutches of such degrading influences and surroundings the innocent though defective, the poor but human child?

In passing may we express the hope that the measure, now pending before congress to debar all illiterates from entering our country, be speedily passed and approved.

Not so with the intelligent foreigner who seeks in a free

country the future happiness and welfare of his children. He soon identifies himself with church and school, perhaps that church in which he can worship according to the dictates of his own conscience and that school that is presided over by his own countrymen, and yet even with many of these there is an unwarranted disposition to retain the defective child at home, either by reason of ignorance as to the blessings extended by our public institutions, or through fear the child (as partly at least in case of the deaf) would acquire a language different from its mother tongue.

To all such a compulsory law would be no hardship, on the contrary by the machinery of its enforcement a knowledge of the advantages and results of methods and training for the defective classes would be brought to their own, *yea* to every fireside. The information so transmitted would be accomplished by the mandatory order to avail themselves of the opportunities offered and provided for.

Concerning admission to the Institution for Feeble-minded Children, the organic law provides "every child and youth residing within the state, between the ages of five and twenty-one, who by reasons of deficient intellect is rendered unable to acquire an education in the common schools is entitled to receive the physical and mental training and care of this institution at the expense of the state."

The wording should be changed so as to read in substance "every child, etc., etc., **MUST** receive physical and mental training at this institution or elsewhere at the expense of the state or at the cost of the person responsible for said child or youth."

Why compel the taxpayers of Iowa to establish and maintain an institution, the advantages of which can be accepted or rejected according to the inclination or whims of a small minority of its population?

Why not protect the property holder in his forced investment and reimburse him by the return of interest in relief and protection?

Relief as to the daily observance of and occasional contact with the so-called "lower grades" and protection from the irresponsible acts and possible irregularities of the immature

and undeveloped at the time and in the future.

And as to the child, let the mandatory power of the state extend over this defenceless, unfortunate one, superceding the authority of the parent, and vouchsafing a chance at least for a possible release from the bondage restraining its imprisoned soul and in accordance with a more than human mandate,—“Inasmuch as you have done it unto one of the least of these, you have done it unto me.”

The law establishing and making provisions for the government and maintenance of the College for the Blind recognizes the right of these sightless children to an education at the expense of the state. With this class no mental deficiency retards the developing processes; the germ of intelligence rests with the blind as with the seeing and they are as responsive to intellectual training as their more fortunate brothers and sisters.

The fact that there are comparatively few in any community cannot be urged as a reason why a compulsory attendance law should not be made applicable to them. If “Education is in the highest sense the charge of political society, an important agency for the promotion of morals and an assurance for continued progress, for everything that is wise and beneficent in our present civilization,” then society in organized government should see to it, that no exemptions whatever be permitted and that no local influence of any kind deprive any child of the opportunities offered.

Providing opportunities and not compelling their acceptance is like tilling the soil and not putting in the seed.

Education is a greater boon for the deaf than for perhaps any other class of children. Totally debarred from intercourse with the speaking world by reason of his want of means of communication in infancy and early youth, he pleadingly follows in anxious but mute expectancy or obedience the awkward gestures and facial contortions of his kindred. His mental faculties implanted by an all-wise Providence lie dormant by reason of the unyielding crust surrounding, and unless relieved he is condemned to a helpless life of mental inactivity and silent hopeless seclusion. But when the crust is broken, an avenue to reach his inner soul

provided, when means are placed at his command by which he can receive the impressions of a dawning intelligence, he readily extends his receptive condition, and soon casts off the shell of ignorance and darkness, assuming his rightful position as a youth in pursuit of knowledge and consequent happiness.

His defect (want of hearing) is no longer a bar to his mental development, and entering the race with his normal contemporaries he presses steadily forward and onward reaching the goal at the same place while perhaps not in the same time. After which, engaging in the avocations of daily life, surrounding himself with the comforts of a happy home, accepted in intelligent society and endowed with the priceless inheritance of American Citizenship he becomes the peer and equal of his fellow men. Should such a child with such a future be restricted and restrained by reason of the indifference, ignorance, greed or sentiment of its parent?

In many of the European countries where the principles of Compulsory Education obtain, its sheltering folds are extended over the defective and the normal child alike. In our country but few states of the Union have recognized either the rights of the defective child or the community in which it lives or may live by authoritatively requiring his or her attendance at schools erected and maintained for their improvement and betterment. If the writer is correctly informed there is upon the statute books of only three states a compulsory law for the Deaf. It may be pertinent at the ending for the purposes of this paper to quote from one of these, the Oregon Law as follows:

"Whereas the State has provided an institution for the free instruction of all resident deafmute children of lawful school age, every parent, guardian or person having control of any child or children afflicted with deafness, shall be required under the penalties here in after specified, to send such child or children to said institution for a period of not less than six (6) months of each year between the ages of eight and sixteen years, unless children be taught in a private school, etc., etc."

There being no law compelling and requiring that deaf-mutes attend the deafmute school, and it being for the best interests of the people of the State that these children should be properly educated this act shall take effect and be in full force from and after its approval by the Governor."

[NOTE—Approved, February, 1891.]

In conclusion may I express the hope that these footprints thus clearly defined upon the golden shore of the Pacific Ocean, may ere long also be found upon the fertile prairies of Iowa—and that justice holding the scales with impartial hands will secure an equal poise as between the necessities of those endowed with a full measure of human senses, and the needs of those who though less favored by the possibilities of their future, add weight and consideration.

[NOTE —Quotations in this paper are from
the Report of the Commissioner of Education.



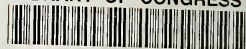


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